

REMARKS

Applicants respectfully acknowledge receipt of the Final Office Action mailed February 20, 2007.

In the Final Office Action, the Examiner rejected claims 1, 3, 5, 6, and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Itoh et al.* (U.S. Patent No. 6,685,416) in view of *Okino* (U.S. Patent No. 6,215,564); rejected claims 2 and 4 under 35 U.S.C. § 103(a) as being unpatentable over *Itoh* in view of *Okino*, and further in view of *Delfer et al.* (U.S. Patent No. 5,754,434); rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over *Itoh* in view of *Okino*; and rejected claims 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over *Itoh* in view of *Okino*.

By this Amendment, Applicants propose to amend claims 1, 9, and 10. Upon entry of this Amendment, claims 1-6 and 8-11 will remain pending. Of these claims, claims 1, 9, and 10 are independent. Claim 7 was previously canceled, without prejudice or disclaimer, in the Amendment filed December 1, 2006.

The originally-filed specification, claims, abstract, and drawings fully support the amendments to claims 1, 9, and 10. No new matter has been introduced.

Based on the foregoing amendments and the arguments, Applicants traverse the rejections above and respectfully request reconsideration for at least the reasons that follow.

I. 35 U.S.C. § 103(a) REJECTIONS

Claims 1, 3, 5, 6, and 8-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Itoh* in view of *Okino*. Applicants respectfully disagree with the Examiner's arguments and conclusions and submit that independent claims 1, 9, and 10

are patentably distinguishable over *Itoh* and *Okino* at least for the reasons set forth below.

In order to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), each of three requirements must be met. First, the reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of the three requirements must "be found in the prior art, and not be based on applicant's disclosure." See M.P.E.P. §2143, 8th ed., February 2003.

Itoh appears to disclose a bookbinding device including a page supply unit 1, a page conveyor unit 4, a cover supplying unit 5, a press unit 8, a cover folding unit 9, a booklet conveyor unit 10, a scrap discharging unit 11, and a heater unit 60. The page supplying unit 1 includes a sub-clamper 20, which includes a rotation drive mechanism 22 for swinging the sub-clamper 20 about an axis, a table 24 adapted to receive thereon a stack of pages A to be bound by the bookbinding device, and a clamping plate 25 for holding the page stack A down to the table 24. (*Itoh*, col. 5, ll. 37-43 and col. 6, ll. 51-54).

As admitted by the Examiner, however, *Itoh*, at least, does not "disclose a front door for opening and closing a front side of a main body of the pasting and bookbinding apparatus, wherein respective front sides of the sheet bundle loading device, the sheet bundle transporting device, the paste coating device, the cover supplying device, the

cover pasting device, and the cover folding device, can be opened or closed.” (*Final Office Action*, p. 3, ll. 11-15). Additionally, *Itoh* fails to teach or suggest wherein a sheet bundle loading device, a holding device, a sheet bundle transporting device, a paste coating device, a cover supplying device, a cover pasting device, and a cover folding device are arranged in a single longitudinal line in a vertical direction inside a main body of a pasting and bookbinding apparatus (emphases added).

Accordingly, in order to cure the deficiencies of *Itoh*, the Examiner relies on *Okino* and alleges that “Okino teaches the use of a door 13 for an image recording device 10 that is used for the purpose of exposing the interior of the device.” (*Final Office Action*, p. 3, ll. 15-16).

Okino appears to disclose an image recording device 10 including a front door 13 and a side door 15 attached to a device base 12. The interior of the device base 12 can be exposed by opening doors 13 and 15. (*Okino*, col. 13, ll. 8-11). Such teaching, even if present in *Okino*, however, fails to teach or suggest the claimed pasting and bookbinding apparatus having a sheet bundle loading device, a holding device, a sheet bundle transporting device, a paste coating device, a cover supplying device, a cover pasting device, and a cover folding device arranged in a single longitudinal line in a vertical direction inside a main body of the pasting and bookbinding apparatus, as recited in claim 1, and similarly in claims 9 and 10.

As supported by Applicants’ specification at page 17, line 19 - page 18, line 4 and FIG. 3, “[f]ront door B1 that opens and closes the front side of a main body of the pasting and bookbinding apparatus B is provided, so that front sides respective of cover supplying means 30, sheet bundle loading means 40, sheet bundle transporting means

50, paste coating means 60, cover pasting means 70, cover folding means 80 and elevating means 75[,] which are arranged lengthwise in a vertical direction in Fig. 3[,] may be opened and closed...”

Accordingly, with respect to independent claim 1, *Itoh* and *Okino* fail to teach or suggest the claimed combination, including, *inter alia*:

“wherein [a] sheet bundle loading device, [a] holding device, [a] sheet bundle transporting device, [a] paste coating device, [a] cover supplying device, [a] cover pasting device, and [a] cover folding device are arranged in a single longitudinal line in a vertical direction inside [a] main body of [a] pasting and bookbinding apparatus” (emphases added).

Similarly, with respect to independent claim 9, *Itoh* and *Okino* fail to teach or suggest Applicants’ claimed combination, including, *inter alia*:

“wherein [a] sheet bundle loading device, [a] sheet bundle transporting device, and [a] paste coating device are arranged in a single longitudinal line in a vertical direction inside [a] main body of [a] pasting and bookbinding apparatus” (emphases added).

Additionally, with respect to independent claim 10, *Itoh* and *Okino* fail to teach or suggest the claimed combination, including, *inter alia*:

“wherein [a] sheet bundle loading device, [a] sheet bundle transporting device, [a] paste coating device, [a] cover supplying device, [a] cover pasting device, and [a] cover folding device are arranged in a single longitudinal line in a vertical direction inside [a] main body of [a] pasting and bookbinding apparatus” (emphases added).

The Examiner has therefore not met at least one of the essential criteria for establishing a *prima facie* case of obviousness, wherein “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” See M.P.E.P. §§ 2142, 2143, and 2143.03. Accordingly, independent claims 1, 9, and 10,

and corresponding dependent claims 3, 5, 6, 8, and 11 are patentable over *Itoh* and *Okino*. Applicants therefore request that the rejection of claims 1, 3, 5, 6, and 8-11 under 35 U.S.C. § 103(a) be withdrawn.

Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Itoh* in view of *Okino*, and further in view of *Delfer*. The deficiencies of *Itoh* and *Okino* are discussed above.

With respect to *Delfer*, the Examiner relies on *Delfer* for allegedly disclosing “a sheet ejection device...used for the purpose of eliminating any non-desired pages.” (*Final Office Action*, p. 5, ll. 15-17). Such teaching, even if present in *Delfer*, however, fails to teach or suggest, *inter alia*, “wherein [a] sheet bundle loading device, [a] holding device, [a] sheet bundle transporting device, [a] paste coating device, [a] cover supplying device, [a] cover pasting device, and [a] cover folding device are arranged in a single longitudinal line in a vertical direction inside [a] main body of [a] pasting and bookbinding apparatus,” as required by amended claim 1 (emphases added). Therefore, *Itoh*, *Okino*, and *Delfer* fail to teach or suggest all of the limitations of claim 1, and claims 2 and 4 are therefore patentable over *Itoh*, *Okino*, and *Delfer* at least due to their dependence from independent claim 1. Applicants therefore request that the rejection of claims 2 and 4 under 35 U.S.C. § 103(a) be withdrawn.

II. CONCLUSION

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-6 and 8-11 in condition for allowance. Applicants submit that the proposed amendments of claim 1, 9, and 10 do not raise new

issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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